

10/10/01  
J1046 U.S. PTO  
09/974546

10-11-01

CERTIFICATE OF EXPRESS MAIL
NUMBER: EL564340076US
DATE OF DEPOSIT: OCTOBER 10, 2001

A

J1046 U.S. PTO  
09/974546  
10/10/01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Dkt. No.: UROC:018USD2

Prior Application Examiner:  
Einsmann, J.

BOX PATENT APPLICATION  
Commissioner for Patents  
Washington, D.C. 20231

Classification Designation:  
536-024.330

Prior Group Art Unit: 1655

REQUEST FOR FILING DIVISIONAL APPLICATION  
UNDER 37 C.F.R. § 1.53(b)

This is a request for filing a divisional application under Rule 53(b) (37 C.F.R. § 1.53(b)) of co-pending divisional patent application, Serial No. 09/662,270, filed on September 14, 2000, entitled "BIOMARKERS AND TARGETS FOR DIAGNOSIS, PROGNOSIS AND MANAGEMENT OF PROSTATE DISEASE," which is a divisional application of U.S. Serial No. 09/097,199, filed June 12, 1998 and is now issued as U.S. Patent 6,218,529.

- ☒ 1. Enclosed is a copy of the parent application Serial No. 09/097,199 as originally filed, including specification, claims, drawings, and declaration. The undersigned hereby verifies that the attached papers are a true copy of the prior application as originally filed and identified above, that no amendments (if any) referred to in the declaration filed to complete the prior application introduced new matter therein, and further that this statement was made with the knowledge that willful

false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

(a) ☒ The inventorship is the same as parent Application Serial No. 09/097,199.

(b) ☐ Deletion of inventor(s). Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. § 1.63(d)(2) and 1.33(b).

(c) ☐ Priority of foreign patent application number , filed in  
is claimed under 35 U.S.C. § 119(a)-(e). The certified copy:

☐ is enclosed.

☐ has been filed in the prior Application Serial No.

☐ 2. The Assistant Commissioner is requested to grant Applicants a filing date in accordance with Rule 1.53, and supply Applicants with a Notice of Missing Parts in due course, in accordance with the provisions of Rule 1.53(f).

☒ 3. Enclosed is a check in the amount of \$370.00 to cover the filing fee as calculated below and the fee for any new claims added in the Preliminary Amendment referred to in Part No. 9 below.

CLAIMS AS FILED IN THE PRIOR APPLICATION  
LESS CLAIMS CANCELED BELOW

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
Basic Fee -----				\$370.00
Total Claims	14 - 20 =	0 X	\$18.00 =	\$0.00
Independent Claims	2 - 3 =	0 X	\$84.00 =	\$0.00
Multiple Dependent Claim(s) -----				\$-0.00
<b>TOTAL FILING FEES:</b>				<b>\$370.00</b>

- ☒ 4. Applicant is entitled to Small Entity Status for this application.
- ☐ (a) A small entity statement is enclosed.
- ☒ (b) A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- ☐ (c) Small entity status is no longer claimed.
- ☒ 5. If the check is missing or insufficient, the Assistant Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 to 1.21 which may be required for any reason relating to this application, or credit any overpayment to *Fulbright & Jaworski, L.L.P.* Account No. 50-1212/10109245/GNS.
- ☐ 6. Enclosed is a copy of the current Power of Attorney in the prior application.
- ☒ 7. Address all future communications to:
- Gina N. Shishima  
FULBRIGHT & JAWORSKI, L.L.P.  
600 Congress Ave, Ste. 1900  
Austin, TX 78701  
(512) 536-3081
- ☒ 8. The prior application is presently assigned to UroCor, Inc., 800 Research Pkwy, #200, Oklahoma City, OK 73104-3699.

- 09/097,199
9. ☒ Enclosed is a preliminary amendment. Any additional fees incurred by this amendment are included in the check at No. 3 above and said fee has been calculated after calculation of claims and after amendment of claims by the preliminary amendment.
10. ☐ Cancel in this application claims of the prior application before calculating the filing fee. (At least one original independent claim must be retained).
11. ☐ Amend the specification by inserting before the first line the sentence: --This is a continuation of co-pending application Serial No. filed --.
12. ☐ Enclosed are formal drawings.
13. ☐ An Information Disclosure Statement (IDS) is enclosed.
- (a) ☐ PTO-1449.
- (b) ☐ Copies of IDS citations.
14. ☒ Transfer the sequence information, including the computer readable form previously submitted in the parent application, Serial No. 09/097,199 filed June 12, 1998, for use in this application. **Under 37 C.F.R. § 1.821(e), Applicants state that the paper copy of the sequence listing in this application is identical to the computer readable copy in parent application Serial No. 09/097,199 filed June 12, 1998. Under 37 C.F.R. § 1.821(f), Applicants also state that the information recorded in computer readable form is identical to the written sequence listing.**
15. ☒ Other: Copy of Preliminary Amendment and Request for Transfer of Sequence Listing.

- ☒ 16. Return Receipt Postcard (should be specifically itemized).

Respectfully submitted,



Gina N. Shishima  
Reg. No. 45,104  
Attorney for Applicants

FULBRIGHT & JAWORSKI  
600 Congress Ave, Ste., 1900  
Austin, Texas 78701  
(512) 536-3081

Date: October 10, 2001

0974546-101001